

Appl. No. : **09/853,371**
Filed : **May 11, 2001**

REMARKS

The October 6, 2004 Office Action was based upon pending Claims 1-48 and 48-60. In the Office Action, the Examiner rejected Claim 49 under 35 U.S.C. § 112, second paragraph. The Examiner rejected Claims 1-11, 13-20, 23, 24, 26-31, 35, 38, 39, 44-46, 48, 49, 51-56 and 57 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,560,717 to Scott et al. (the "Scott patent"). The Examiner rejected Claims 50, 58 and 59 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,740,357 to Gardiner et al. (the "Gardiner patent"). The Examiner rejected Claims 37 and 60 under 35 U.S.C. § 103(a) as being unpatentable over the Scott patent. In addition, the Examiner objected to Claims 12, 21, 22, 25, 32, 33, 34, 36, 40, 41, 42 and 43.

This Amendment cancels Claims 1-4, 12, and 45-60 without prejudice and amends Claims 5, 21-23, 25-28, 30-32, and 34-44. Thus, after entry of this Amendment, Claims 5-11, 13-44 are pending and presented for further consideration. Reconsideration of the pending claims, as amended, is therefore respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner stated that Claims 12, 21, 22, 25, 32, 33, 34, 36, 40, 41, 42 and 43 would be allowable if rewritten into independent form to include the limitations of the corresponding base claim and any intervening claims. Accordingly, with this amendment, Applicant has amended independent Claim 5 to include the limitations of Claim 12. Accordingly, Applicant has cancelled Claim 12.

With respect to Claims 21, 22, 25, 32, 33, 34, 36, 40, 41, 42 and 43, Applicant has rewritten these claims into independent form to include the limitations of the corresponding base claims and any intervening claims.

Thus, Applicant respectfully submits that amended Claims 5, 21, 22, 25, 32, 33, 34, 36, 40, 41, 42 and 43 are now in condition for allowance.

REJECTION OF CLAIM 49 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner rejected Claim 49 under 35 U.S.C. § 112, second paragraph. In response, Applicant has cancelled Claim 49.

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REJECTION OF CLAIMS 1-11, 13-20, 23, 24, 26-31, 35, 38, 39, 44-46, 48, 49, 51-56 AND 57 UNDER 35 U.S.C. § 102(e)

The Examiner rejected Claims 1-11, 13-20, 23, 24, 26-31, 35, 38, 39, 44-46, 48, 49, 51-56 and 57 under 35 U.S.C. § 102(e) as being anticipated by the "Scott patent."

In response, Applicant has cancelled Claims 1-4.

With respect to Claim 5, as discussed above, Applicant has amended Claim 5 to include the limitations of cancelled Claim 12. Thus, Applicant respectfully requests allowance of amended Claim 5.

Claims 6-11 and 13-20, which depend from amended Claim 5, are believed to be allowable for the same reasons as Claim 5 and because of the additional features recited therein.

Claims 23 and 24, which depend from amended Claim 22, are believed to be allowable for the same reasons as Claim 22 and because of the additional features recited therein.

Claims 26-31, which depend from amended Claim 25, are believed to be allowable for the same reasons as Claim 25 and because of the additional features recited therein.

Claim 35, which depends from amended Claim 34, is believed to be allowable for the same reasons as Claim 34 and because of the additional features recited therein.

Claims 38 and 39, which depend from amended Claim 36, are believed to be allowable for the same reasons as Claim 36 and because of the additional features recited therein.

Claim 44, which depends from amended Claim 43, is believed to be allowable for the same reasons as Claim 43 and because of the additional features recited therein.

With respect to rejected Claims 45, 46, 48, 49, 51-56 and 57, Applicant has canceled these claims.

Therefore, Applicant respectfully asserts that rejected Claims 5-11, 13-20, 23, 24, 26-31, 35, 38, 39 and 44 are now in condition for allowance.

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REJECTION OF CLAIMS 50, 58 AND 59 UNDER 35 U.S.C. § 102(b)

The Examiner rejected Claims 50, 58 and 59 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,740,357 to Gardiner et al. (the "Gardiner patent"). In response, Applicant has cancelled Claims 50, 58 and 59.

REJECTION OF CLAIMS 37 AND 60 UNDER 35 U.S.C. § 103(a)

The Examiner rejected Claims 37 and 60 under 35 U.S.C. § 103(a) as being unpatentable over the Scott patent.

In response, Applicant has amended Claim 37 to depend from objected to Claim 36. Thus, it is believed that amended Claim 37 is allowable for the same reasons as Claim 36 and because of the additional features recited therein. In addition, Applicant has cancelled Claim 60.

CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested.

In particular, Applicant requests allowance of currently pending Claims 5-11, 13-44. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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